

U S ENVIRONMENTAL PROTECTION AGENCY
SITE PROGRESS REPORT

076N
S. Mid-America Refinery
ID #KSD084091545
Break 22
Other: 10-3-98

I HEADING

Date October 3, 1998
From Janice J Kroone, OSC
U S EPA, Region VII
To Robin M Anderson, Acting Director (5203G)
Regions 5/7 Accelerated Response Center
Subject Mid-America Refinery Company (MARCO)
Chanute, Neosho County, Kansas
Report #2

II BACKGROUND

Site ID KN
CERCLIS ID# KSD084091545
Contract Number 68-S7-7001
Delivery Order Number 0024
Response Authority CERCLA
Category of Removal Time Critical
NPL Status Non-NPL
State Notification KDHE Notified
Date Action Memo Signed June 29, 1998
Date Action Memo Amended August 13, 1998
Mob Date July 7, 1998
Demobilization Date N/A
Completion Date N/A

III SITE INFORMATION

A Incident Category

CERCLA incident category This site is an abandoned oil refinery located north of a residential area

B Site Description

1 The Mid-America Refinery Company (MARCO) site is located in Neosho County, Kansas, north of the city limits of Chanute This site is a 25-acre abandoned oil refinery that operated as a crude oil processor from 1934 until it was shut down in February 1981 Suspected asbestos containing material (ACM) was discovered onsite during the course of an Oil Pollution

40166158



SUPERFUND RECORDS

Act (OPA) removal which began in February 1998. Salvagers had damaged the old boiler onsite and had partially dismantled it. Salvaging activities resulted in damage to the integrity of the skin of the boiler thus exposing the insulation material inside. Analytical sample analysis confirmed that the insulation in the boilers was asbestos. Two burners onsite were found to contain asbestos in several gaskets and in insulation located between bricks. An asbestos dump area was also found on site. This material is in poor condition, friable and is open to the environment and therefore can cause a release of asbestos fibers.

Petroleum contaminated soils extend under the buildings onsite. These buildings are not structurally sound and are in disrepair. The state of Kansas has given approval to bury brick and concrete onsite. Because the groundwater is shallow in the east portion of the site, sampling was done on the painted surfaces of the buildings to ensure that the paint on the bricks did not pose a leaching problem. Several of the buildings have peeling paint and laboratory analysis found that the paint failed the Toxicity Characteristic Leaching Procedure ("TCLP") analysis for lead. TCLP lead was found on corrugated tin on the outside of one building. This paint was chipping off. The tin can not be buried onsite and must be shipped to a construction and demolition landfill for disposal.

During removal activities at the site, a burial area approximately 250' x 140' x 11' was found to the north of the old oil water separator on the east portion of the property. Information from a former employee, indicates this buried material came from the clean out of various tanks on site. Petroleum sludge was found in this burial area. This sludge was sampled and found to be a hazardous waste due to failing the Toxicity Characteristic Leaching Procedure ("TCLP") for lead.

The original action memo was amended on August 13, 1998 to allow for a change in the removal work plan and an increase of funds for the excavation of approximately 14,300 cubic yards of petroleum sludge which was found to be a hazardous waste due to failing the Toxicity Characteristic Leaching Procedure (TCLP) for lead. This material was found in a burial pit on site.

2 Description of Threat

See POLREP #1 for description of threat.

C Previous Site Actions

1 Investigative History

See POLREP# 1 for complete investigative history

2 Past removal actions

See MARCO OPA POLREPs for complete details of OPA removal

IV RESPONSE INFORMATION

A Situation

1 Current Situation

This POLREP covers the period from September 1 - 25, 1998. Temperatures during this time frame ranged from the mid 70s to upper 90s

2 Removal Activities to Date

Asbestos removal work was completed on September 4. A total of 80 cubic yards of asbestos material was sent to the Allen County Landfill

Excavation began in the lead contaminated soil area near the old oil/water separator area. Material was excavated into piles approximately 500 tons each and mixed with a 10% fly ash mixture. These piles were sampled and analytical data received on September 9, indicated that pile number one failed TCLP for lead (190 ug/L), pile number 2 also failed TCLP at 668 ug/L. Pile number 3 passed TCLP (0390 ug/L). Pile number one was remixed with an additional 30% fly ash. Pile number two was remixed with 10 - 15% fly ash. Pile number one failed TCLP a second time after remixing (104 ug/L). Pile number 2 passed (0953 ug/L). Pile number 4 passed with the first mix (019 ug/L). Pile number 5 required remixing. Soil excavated near the northeast gate also failed TCLP for lead (652 ug/L). Due to the treated soil failing TCLP for lead numerous times, it was determined that fly ash would be discontinued. Fly ash was adding additional weight to the material and remixing each pile numerous times was very time consuming with the result that the material was not passing TCLP. Therefore, several samples were taken to conduct a bench scale lead treatability study to determine other options for treatment.

3 Enforcement

In May 1993, the Robert Cooley Trust purchased the MARCO site. Robert Moore is presently the trustee. In 1994, EPA

attempted to negotiate with the current owners of the site for a Consent Order in which they would undertake all time-critical removal actions necessary at the site. Negotiations for the Responsible Party (RP) to perform the clean-up were unsuccessful, therefore EPA conducted a CERCLA time critical removal from August 1994 - November 1994. In March 1995, the original action memo was amended to include disposal of ignitable hazardous waste from a tank, the PRPs were once more contacted to perform that portion of the removal. The PRPs again refused and EPA performed the remaining removal action.

On October 28, 1996, EPA issued a Unilateral Administrative Order, ("UAO"), pursuant to Section 7003 of the Resource Conservation and Recovery Act, ("RCRA"), 42 U.S.C. 6973, to Respondents requiring them to cease their current activities at the Site related to the dismantling of tanks and piping, and requiring them to install a fence around the Site, inventory all tanks and piping and prepare a plan for EPA approval to safely dismantle all existing tanks and exposed piping at the Site. EPA took this measure only after determining that there may be an imminent and substantial endangerment to human health and the environment because of the release and discharges, or threatened release and discharges, of oil and hazardous and/or solid wastes from the Site.

In March 1996, EPA requested assistance from the Department of Justice in enforcing the 7003 Order, and potentially obtaining a Temporary Restraining Order (TRO). In April 1996, a Department of Justice (DOJ) attorney visited the site, interviewed the fire department, EPA and KDHE personnel. DOJ concluded that since no salvaging operations were ongoing at the time, DOJ would not pursue the TRO.

B Next Steps

Continue to excavate and treat lead contaminated soil in burial area near old oil/water separator.

Upon reaching treatment goals, this material will be staged awaiting transportation and disposal to the Resource Recovery Landfill in Cherryvale, KS.

Excavated areas will be backfilled and restored to eliminate erosion of clean backfill from the site.

C Key Issues

None

V COST INFORMATION (as of September 25, 1998)
Original project ceiling was \$99,000 which was increased to
\$1,204,312 on August 13, 1998

A Extramural Costs

1 ERRS Contractor

Current Amount in Delivery Order	\$1,121,812
Costs to date (not including awaits)	26,654
DELIVERY ORDER CEILING BALANCE	1,095,158
PERCENT OF ERRS FUNDS REMAINING	98%

2 START Contractor

Current Ceiling	57,500
Costs to date	1,500
CEILING BALANCE	56,000
PERCENT OF START FUNDS REMAINING	97%

TOTAL EXTRAMURAL CEILING \$1,179,312

TOTAL EXTRAMURAL COSTS TO DATE 28,154

TOTAL EXTRAMURAL CEILING BALANCE \$1,151,158

B Intramural Costs

Current Ceiling	\$25,000
Actual Costs to date	1,079

TOTAL INTRAMURAL CEILING BALANCE 23,921

TOTAL PROJECT CEILING \$1,204,312

TOTAL EXTRAMURAL AND INTRAMURAL COST TO DATE 29,233

TOTAL PROJECT CEILING REMAINING \$1,175,079

PERCENT OF PROJECT CEILING REMAINING 97%

The above accounting of expenditures is an estimate based on

figures known to the EPA OSC at the time this POLREP was written
It reflects costs EPA costs incurred onsite

VI DISPOSITION OF WASTES

80 Cubic yards of asbestos material was removed from this
site and sent to the Allen County Landfill

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